

Notice of Allowability

Application No.

10/806,147

Examiner

Michael P. Ferguson

Applicant(s)

LO, ALBERT CHONG-JEN

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01 April 2005 examiner's amendment.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☒ The drawings filed on 23 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 04/01/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eugene Mar on April 1, 2005.

The application has been amended as follows:

In claim 1, in line 2 before "insert tube" deleted "A" and replaced with --a--.

In claim 1, in line 7 after "said shank" deleted " : " and replaced with -- ; --.

In claim 1, in line 8 before "guide tube" deleted "A" and replaced with --a--.

In claim 1, in line 11 after "a lower side" deleted " : " and replaced with
--thereof; --.

In claim 1, in line 12 before "adjusting member" deleted "A" and replaced with
--a--.

In claim 1, in line 13 before "for said guide tube" inserted --thereof--.

In claim 1, in line 16 after "a lower portion" inserted --thereof--.

In claim 1, in line 18 after "said insert tube" deleted " : " and replaced with -- ; --.

In claim 1, in line 19 before "shank fixing device" deleted "Said" and replaced with
--said--.

In claim 1, in line 21 after "located at two" inserted --opposite--.

In claim 1, in line 23 after "of the wall to" deleted "let" and replaced with

--enable--.

In claim 1, in line 30 after "with the wall so" inserted --that--.

2. The following is an examiner's statement of reasons for allowance:

As to claim 1, Mader (US 540,555) discloses the claimed striding shank fixing device with the exception of comprising an insert tube of a straight shape for a shank of a parasol or a pole for a flag to be inserted therein, a thumb screw screwing sidewise in the insert tube, a driving block provided inside the insert tube for the end of the thumb screw to push against so as to push against the shank.

It would not have been obvious to one having ordinary skill in the art at the time the invention was made to modify a striding shank fixing device as disclosed by Mader to have the above mentioned elements as the prior art neither teaches nor suggests such modifications.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The following patents show the state of the art with respect to fixing devices:

Schiek et al. (US 1,145,514) and Walker (US 140,747) are cited for pertaining to devices comprising a guide tube having a plurality of position holes, and an adjustment member having a hole, a position projection and thumb screw.

Kreischer (US 5,172,885) and Hart (US 2,446,282) are cited for pertaining to devices comprising a guide tube having a plurality of position holes and an adjustment member having a hole and a position projection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (703)308-8591. The examiner can normally be reached on M-F (7:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703)308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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04/01/05



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600